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July 10, 2015

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan
Remedial Project Manager
Special Projects Branch
Emergency and Remedial Response Division
U.S. Environmental Protection Agency, Region 2
290 Broadway, 20th Floor
New York, New York 10007-1866

Re: Progress Report No. 48 – June 2015
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report (MPR) for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

1. Actions Taken to Comply with Settlement Agreement during Previous Month

- A revised list of point sources dissolved/particulate sampling locations was submitted to USEPA on May 28. On June 4, USEPA provided additional comments on the revised list of locations. On June 4, Anchor QEA provided responses to USEPA's comments. USEPA approved the revised list of dissolved/particulate sampling locations on June 8.
- Approval of the responses to comments on the draft *Preliminary Modeling Results Memorandum* was provided via e-mail by USEPA on June 1. USEPA also indicated that additional comments on the geochronology evaluation will be provided at a later time.
- Presentation materials for the June 25 Modeling Workshop were provided via e-mail to USEPA on June 4.
- A meeting was held with USEPA and the City of New York on June 8 to review the City's scheduled combined sewer overflow (CSO) bending weir project schedule and construction drawings and discuss the potential implications of this construction work on the Phase 2 point sources sampling planned for these locations.
- Responses to and a request for clarification on a USEPA request for laboratory data reports, sediment core logs and field notes, dredging records, and working files showing net sedimentation rate calculations to support an evaluation of Phase 1 and Phase 2 geochronology information was provided via e-mail to USEPA on June 9. On June 10, USEPA provided clarifications on the requested information. The requested information was provided to USEPA on June 10 and June 29.
- Approval of the revised Standard Operating Procedure (SOP) NC-34 – Seepage Measurements, which was updated to reflect a revised calibration procedure for the seepage meters that was developed by Dr. Rosenberry at the U.S. Geological Survey, was provided via e-mail by USEPA on June 12.
- A letter invoking Dispute Resolution was submitted via e-mail to USEPA on June 19 in response to USEPA's decision to allow the City of New York to deny access to four USEPA-approved CSO locations for sampling and to identify alternative sampling locations for these four CSOs.
- Rain gage data from the field facility and National Grid locations for wet-weather point source sampling events through May 31, 2015, were provided to USEPA on June 19.

- A monthly update meeting/Modeling Workshop was held with USEPA in New York City on June 25. Topics discussed during the monthly update meeting included a Phase 2 field program update and a point sources sampling update. Topics discussed during the Modeling Workshop included a review of the use of models at sediment sites; updates to the hydrodynamic, point sources, sediment transport, and groundwater models; and discussions on the proposed approaches for modeling chemical fate and transport and bioaccumulation.
- Responses to comments on the *Phase 2 RI Field Program – QAPP/FSAP Deviation Memorandum No. 9* were submitted via e-mail to USEPA on June 16. USEPA provided additional comments via e-mail on June 17.
- The *Phase 2 RI Field Program – QAPP/FSAP Deviation Memorandum No. 10* was submitted via e-mail to USEPA on June 16. This deviation memorandum discussed revised calibration, data processing, and cleaning procedures for the water quality sondes. On June 24, USEPA approved the proposed deviations but also provided one additional comment on the memorandum.
- The Phase 2 field investigation continued in June. Specifically, the following activities were performed:
 - Groundwater seepage meters were deployed at NC062, NC276, NC277, NC278, DK042, and DK052 (week of June 8), and NC266, NC271, NC272, and NC288 (week of June 15)
 - Groundwater seepage meters were retrieved from NC276, NC277, NC278, and DK042 (week of June 8), and DK052 and NC062 (week of June 15)
 - Point sources sampling
 - Wet-weather reconnaissance at NCQ-029 (June 1)
 - Reconnaissance at the Waste Management of NY facility (June 3)
 - Wet-weather sampling planned for June 8 but cancelled due to insufficient rainfall
 - Wet-weather sampling (June 14 and June 15)
 - Samples were successfully collected at BB-026.
 - Samples were not collected from NCQ-077, NCB-015, and NCB-083 due to insufficient discharge.

- Wet-weather sampling (June 20 and June 21)
 - Samples were successfully collected at BB-026, BB-009, NCQ-029, NG-001, and RAD-1.
 - Samples were not collected from NCQ-077, NCB-015, and NCB-083 due to insufficient discharge.
- Wet-weather sampling (June 27)
 - Samples were successfully collected at BB-026, NCB-015, NCQ-083, and the Newtown Creek Wastewater Treatment Plant influent.
 - Samples were not collected from NCQ-077 due to insufficient discharge.
- Wet-weather sampling planned for July 1 but cancelled due to low probability of rainfall and low rainfall amount
- *Modeling Approach Memorandum (2)* revisions continued in June.
- Phase 2 field program planning and implementation continued in June.

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- Quality control (QC) review of field data from point sources dry-weather sampling (Event 4) was completed. The field data for this event are included on the enclosed compact disc (CD) as part of this MPR.
- Validation of the following datasets was completed. These data are included on the enclosed CD as part of this MPR.
 - Sediment radiochemistry
 - April 2015 wet-weather event total suspended solids
 - Groundwater hydraulic profiling tool (HPT) and slug test results
 - Groundwater chemistry (sediment, porewater, and groundwater)
 - Metals speciation
- Rain gage data from the field facility and National Grid locations for wet-weather point sources sampling events through May 31, 2015, that were provided to USEPA on June 19 are also included on the enclosed CD as part of this MPR.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The NCG has requested information from the City of New York that is needed to complete the RI/FS. An updated listing of these requests is provided as an attachment to this MPR.
- On June 18, Anchor QEA notified USEPA that the long-term monitoring well installed at DK052 was damaged by a rain storm that occurred the week prior. Although the well was damaged, the transducer was recovered and associated data were retrieved. Anchor QEA is reviewing the data and will be discussing with USEPA whether or not re-installation of the well at this location is necessary to achieve the objectives of the program.
- A letter invoking Dispute Resolution was submitted via e-mail to USEPA on June 19 in response to USEPA's decision to allow the City of New York to deny access to four USEPA-approved CSO locations for sampling and to identify alternative sampling locations for these four CSOs.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- A project update meeting with USEPA is scheduled for July 30.
- Continue the Phase 2 field investigation in July and August, including the following:
 - Surface water during point sources discharge sampling events
 - Continuous water quality measurements from in-creek sondes
 - Point sources sampling at locations that have not been sampled yet (e.g., NCB-631 and NCQ-632B) and CSOs where access may be limited due to bending weir construction (e.g., NCQ-077, NCB-083, and NCB-015) will be prioritized over locations that have already been sampled.
 - Sampling at Waste Management of NY/Steel Equities (formerly POW) (DAR No. 56)/Town, County and State Recycling, Inc. (aka Review Avenue Recycling, Inc.) (DAR No. 145) is on hold until construction and stormwater improvements are complete.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: jquadrini@anchorqea.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Quadrini", with a stylized flourish at the end.

Jim Quadrini, P.E., BCEE

Anchor QEA, LLC

Attachments

- CD containing field data and validated Phase 2 chemistry data
- An updated New York City Data Request listing

cc: Joseph Battipaglia, USEPA Region 2 Co-Remedial Project Manager
Michael Mintzer, USEPA Region 2 Assistant Regional Counsel
Ian Beilby, NYSDEC, Division of Environmental Remediation
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents
Edward Leonard, CDM Smith

New York City Data Request

Item No.	Date Requested	Information Needed	Information Type (Data, Document, Model)	Status as of 7/8/2015	Reason for Request
1	9/10/2012 ¹	Data from monitored/telemetered combined sewer infrastructure that discharges to Newtown Creek, including NCB-015	Data	NYC indicated that they would provide analysis and data from 12 months of data collection (April 1, 2014 to March 31, 2015) on August 15, 2015 and that other data from previous years would be provided at that time as well.	This information is required to evaluate combined sewer discharges to the creek and support the modeling effort.
5	9/10/2012 ¹	a. Available CSO/SSO flow monitoring data, along with data used in the modeling for the Long-term Control Plan (including flow data for BB-026 and any additional locations that discharge to Newtown Creek that are available) b. A status update on NYC CSO flow metering program and a detailed schedule for completion of activities and transfer of data	Data	NYC indicated that they would provide analysis and data from 12 months of data collection (April 1, 2014 to March 31, 2015) on August 15, 2015 and that other data from previous years would be provided at that time as well.	This information is required for model calibration—flow data will be used in conjunction with other variables to evaluate hydro model performance. Flow data will also be used to inform the sampling effort and approach.
10	2/24/2014	Original request Electronic files for data cited in the <i>Newtown Creek and Whale Creek Canal Maintenance Dredging Analytical Report</i> and <i>Sediment Sampling and Analysis Plan</i> (September 2013) including bathymetric survey, sediment, water, and air data Updated request Based on the collection described in <i>Newtown Creek and Whale Creek Canal Maintenance Dredging Analytical Report</i> and <i>Sediment Sampling and Analysis Plan</i> (Greeley and Hansen and others, September 2013), Anchor QEA received individual laboratory data files. We are requesting that the data be provided in a single standard electronic deliverable, such as a USEPA Region 2 style electronic data deliverable or output from NYC’s database that has standard valid values and that includes sample information and location information with actual coordinates. This request includes 23 additional surface grab samples that were collected concurrently with the subsurface cores referenced in the last paragraph of Section 3.1.1 of the report as well as the referenced “separate report” and any additional documentation such as data summary report(s), logs/photographs, etc. associated with these data.	Data	Provided on June 4, 2015, and under review by the NCG.	This information is required to characterize the nature and extent of contamination in the creek and its tributaries.

New York City Data Request

Item No.	Date Requested	Information Needed	Information Type (Data, Document, Model)	Status as of 7/8/2015	Reason for Request
20	12/22/2014	During the USEPA conference call conducted on December 22, 2014, the NYCDEP committed to providing the following information and data to the NCG and USEPA: 1) a technical memorandum that explains the methodology used to calculate the Whale Creek discharges on a 1-hour frequency; 2) estimates of Whale Creek discharges on a 1-hour frequency for 1992 through 2007, 2013, and 2014; 3) temperature, salinity, and TSS concentration data collected at Station E2 for 2014; and 4) 1999 bathymetry data for East Branch and Maspeth Creek to the NCG. Note that NYCDEP provided 1999 bathymetry data for English Kills to the NCG on October 1, 2014, but they have not fulfilled the original request, which included the bathymetry data for East Branch and Maspeth Creek. The NCG needs to receive all of this information and data from NYCDEP by March 1, 2015. Failure by NYCDEP to provide this information and data by this date will cause delays in the Phase 2 modeling work and negatively impact the project schedule.	Data Document	Not Provided. NYC indicated that they would provide the data from 2000 to 2007 by March 27, 2015. However, this request is still outstanding. Other portions of this request have been provided.	This information is required to support the hydrodynamic and sediment transport modeling effort.
21	2/19/2015	Records related to groundwater seepage or withdrawals in the Newtown Creek Watershed associated with New York City infrastructure; categories include the following: – Dewatering of the subway system – Groundwater seepage into CSOs – Other groundwater dewatering	Data Document	Partially Provided. NYCDEP provided responses regarding subway and building/utility dewatering and industrial water supply; however, they indicated that they will provide other updates at a later date.	This information is required to support the groundwater evaluation.

Notes:

1 = In some cases, the request has been updated to be more specific or include more recent information that became available since the previous request.

BB = Bowery Bay

CSO = combined sewer overflow

NCB = Newtown Creek Brooklyn

NCG = Newtown Creek Group

NYC = New York City

NYCDEP or DEP = New York City Department of Environmental Protection

SSO = sanitary sewer overflow

TSS = total suspended solids

USEPA = U.S. Environmental Protection Agency